

# Vorys, Sater, Seymour and Pease LLP

Suite 2000 • Atrium Two • 221 E. Fourth Street • Post Office Box 0236 • Cincinnati, Ohio 45201-0236 • Telephone (513) 723-4000 • Facsimile (513) 723-4056

Ward B. Washington  
 Direct Dial (513) 723-4604  
 Facsimile (513) 852-7840  
 E-Mail · [wbwashington@vssp.com](mailto:wbwashington@vssp.com)

October 14, 2004

**VIA CERTIFIED MAIL**

Chief Fred Prather  
 700 West Pete Rose Way  
 Longworth Hall  
 Lobby B  
 Cincinnati, OH 45203

Re: Public Records Request

Dear Custodian of Records:

Pursuant to the Ohio Public Records law, Ohio Revised Code §149.43, I hereby request that you make available for inspection and/or copying each of the following City of Cincinnati records existing at the time you receive this request.

1. Cincinnati Fire Department Medical Run Reports and any other records relating to emergency medical services that (a) were created or filled out by, or which name, identify, include the badge number of, or relate to any response, request for assistance or incident involving Firefighter Steven M. Hoog and/or Firefighter Michael A. Lotz (b) between May 29, 1998 and July 1, 2000.

2. Any and all documents relating in any way to Cathy Lynn Tubbs, Firefighter Steven M. Hoog and/or Firefighter Michael A. Lotz regarding an incident involving Cathy Lynn Tubbs that occurred on or about May 29, 2000.

3. Any and all run reports relating to Cathy Lynn Tubbs.

I will reimburse the City for all actual costs associated with any copies I or my authorized agent(s) may decide to make of the records described above, as required by Ohio Revised Code § 149.46(B).

This public record request encompasses records in any form including, without limitation all hard copy documents, electronic mail, computer disks, notes, handwritten notes,

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memoranda, video and/or audio tapes, pictures, photographs, drawings, computer printouts, or any other form or format in which the public record exists.

This public record request should be understood to include any records generated by your agents, employees, or representatives in connection with the subject matter of this request.

If you decline to produce any record in reliance on the exemptions to disclosure set forth in Ohio Revised Code § 149.43(A), please identify those records by type, author, recipient and date.

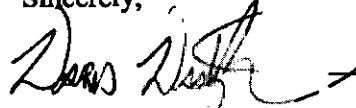
If you redact or otherwise withhold any portion of a record in reliance on the exemptions to disclosure set forth in Ohio Revised Code § 149.43(A) or other authority, please identify those portions of the record redacted and set forth in detail the basis for your refusal to disclose the entire record. Please be advised that matters on an emergency run report that do not fall within an exemption from disclosure set forth in Ohio Revised Code § 149.43(A) (such as names, addresses, dates, times, badge numbers, unit numbers, incident numbers, etc.) **must be disclosed pursuant to Ohio law.**

If any documents were destroyed, but may have been responsive to this request, please identify those records by type, author, recipient and date, and explain the disposal or destruction of the document(s).

Please make these records available to me or my authorized representative no later than the close of business, October 21, 2004. If you will contact me at your earliest convenience we can coordinate the production of the requested information to minimize any inconvenience.

Thank you for your cooperation, and I look forward to hearing from you.

Sincerely,



Ward B. Washington

WBW/lma